IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 25557 of 2007(P)

PETITIONERS:

1. N. RAJAN, AGED 44 YEARS,
   S/O. NEELAKANDAN UNNI, VARIYATHU MADOM,CMC-14,
   MARUTHORVATTOM P.O., CHERTHALA, ALAPPUZHA DISTRICT

2. SREEDEVI, AGED 37 YEARS,
   W/O.N. RAJAN, VARIYATHU MADOM,CMC-14,
   MARUTHORVATTOM P.O., CHERTHALA, ALAPPUZHA DISTRICT

BY ADV. SRI.K.RAMANATHAN

RESPONDENTS:

1. THE SECRETARY,
   CHERTHALA MUNICIPALITY, CHERTHALA, ALAPPUZHA DIST.

2. THE SUB INSPECTOR OF POLICE,
   CHERTHALA POLICE STATION, CHERTHALA,
   ALAPPUZHA DISTRICT.

3. STATE OF KERALA,
   REPRESENTED BY THE CHIEF SECRETARY THROUGH THE
   GOVERNMENT PLEADER, HIGH COURT OF KERALA,ERNAKULAM

R1 BY ADV. SRI.J. OMPRAKASH, SC.
R2 & R3 BY ADV. SRI. K.J. MOHAMMED ANZAR, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 25557 OF 2007

Dated this the 7th day of September, 2007

JUDGMENT

I do not propose to go into the merits of the matter. Mr.J.Omprakash, Standing Counsel for the Municipality, submits that Ext.P5 is only a notice to which the petitioner has submitted Ext.P6 as reply. He also submits that the issue covered by Ext.P5 will be decided only after hearing the petitioner and considering Ext.P6. Under these circumstances, I dispose of the Writ Petition itself issuing the following directions:

The 1st respondent Municipality is directed to finalise the issue covered by Ext.P5 after hearing the petitioner and also the persons upon whose complaint Ext.P5 was issued, at the earliest and at any rate within six weeks of the petitioner producing a copy of this judgment. The decision to be taken by the Municipality shall be in accordance with law and in the light of any document which the parties may produce before the Municipality.

PIUS C. KURIAKOSE, JUDGE

btt